

TUESDAY, December 23, 1851.

The Senate was called to order by the president pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Merriman presented the memorial of James Hamilton; read and referred to the committee on Public Debt.

Mr. Davis presented the petition of sundry citizens, praying the creation of the county of Delta; referred to the committee on Counties and County Boundaries.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported

A bill providing for taking the depositions of witnesses residing in the county where such depositions are to be used in evidence, correctly engrossed.

Mr. Grimes introduced a bill to authorize the sale of the unsold and forfeited lots in the city of Austin and tract adjoining; read first time.

Mr. Reaves offered the following resolution:

Resolved, That the President of the Senate be and he is hereby respectfully requested not to give to any person or persons permission to occupy or use the Senate chamber for any purpose other than those contemplated by law.

Mr. Bogart offered the following resolution:

Resolved, That the committee on State Affairs are hereby instructed to take into consideration the propriety of proposing to the people of this State the amendment of the third section of the tenth article of the Constitution, so as to place the Seminary and School Fund of this State under the control of the Legislature, and that they report by bill or otherwise.

Mr. Taylor introduced a bill for the relief of settlers residing near the eastern boundary line of Texas before the same was established; read first time.

ORDERS OF THE DAY.

A bill to incorporate the Comal Union School; read third time and passed by the following vote:

Yeas—Messrs. Bigelow, Bogart, Burks, Dancy, Davis, Day, Duggan, Eddy, Gray, Grimes, Hart, Hill, Merriman, Reaves, Scott, Sterne, Taylor, Truit, Williams and Wilson—20.

Nays—None.

A bill to require the Commissioner of the General Land Of-

fice to patent certificate No. 20, first class, issued by the county court of Grimes county; read third time and passed.

A bill for the relief of Peter Murphy, his legal heirs or assigns; read third time and passed by the following vote:

Yeas—Messrs. Bigelow, Bogart, Day, Duggan, Gray, Grimes, Merriman, Truit, Williams and Wilson—10.

Nays—Messrs. Burks, Dancy, Davis, Eddy, Hart, Reaves, Scott and Taylor—8.

A bill providing for taking the depositions of witnesses residing in the county where such depositions are to be used in evidence; read third time and rejected by the following vote:

Yeas—Messrs. Bigelow, Dancy, Davis, Eddy, Grimes, Merriman, Taylor, Williams and Wilson—9.

Nays—Messrs. Bogart, Burks, Day, Duggan, Gray, Hart, Reaves, Scott and Truit—9; there being a tie, the President voted in the negative.

A bill concerning writs of certiorari to justices courts; read second time, and, on motion of Mr. Gray, referred to the committee on the Judiciary.

A bill to incorporate the Texas Western Railroad company; read second time, and, on motion of Mr. Dancy, referred to the committee on Internal Improvements.

On motion of Mr. Dancy, a bill to charter the Vicksburg and El Paso railroad Company; and

A bill to establish the New Orleans, Texas and Pacific railroad company, and for the extension of the New Orleans, Algiers and Opelousas railroad through Texas, were taken up, read second time, and referred to the committee on Internal Improvements.

A bill to amend the 59th section of an act organizing justices courts; read second time and ordered to engrossed.

A bill amending the 14th section of an act regulating estrays, approved February 8, 1850; read and ordered to be engrossed.

A bill for the relief of Thomas J. Rusk, David Rusk and James H. Starr; read, and, on motion of Mr. Sterne, laid on the table.

A bill to authorize Bartlett Sims to raise a location therein named and locate the same upon any vacant land; read, and, on motion of Mr. Wilson, laid upon the table.

The report of the committee on Private Land Claims, on the petition of William A. Drodgy and Mary J. Nugent, recommending the rejection of the petition, was read and adopted.

The report of the committee on State Affairs, on the petition of James H. Neely; read, and, on motion of Mr. Gray, laid on the table.

The report of the committee on State Affairs on the petition of Allensworth Adams, and on a bill for the relief of the persons taken prisoners by the Mexican army at the Mission of Refugio in 1841, were read, and, on motion of Mr. Duggan, laid on the table.

Joint resolution for the relief of James Pratt Plummer, with the report of the committee on Private Land Claims offering an amendment thereto, was read, and amendment adopted.

Mr. Gray offered the following amendment, to come in after the word land: "in consideration of his sufferings while in captivity among the Indians;" adopted.

Mr. Dancy moved to amend the bill by adding after "Plummer" the words "Warren Lyons," and the word "each" after the word "Lyons."

Mr. Bigelow offered the following amendment:

Insert also the name of "Chipita Willse, wife of Benjamin T. Willse of Cameron county, for 320 acres of land."

On motion of Mr. Taylor, the bill and amendments were laid on the table.

The report of the committee on Claims and Accounts on the petition of Norman Hard, recommending that the petition be referred to the committee on Public Debt, was adopted.

A bill for the relief of Brigadier General E. H. Tarrant; read.

On motion of Mr. Dancy, the words "Brigadier General" were inserted in the 4th line of 1st section before "Edward H. Tarrant."

On motion of Mr. Williams, the bill was amended by striking out "Auditor" and inserting "Comptroller."

The bill was then ordered to be engrossed.

On motion of Mr. Sterne, a bill for the relief of Thomas J. Rusk, David Rusk and James H. Starr, was taken from the table and placed among the orders of the day.

The report of the committee on the Penitentiary, on the resolution of the Senate relative to the propriety of so amending the act to establish a State Penitentiary as to make it the duty of clerks of district courts to notify the superintendent whenever any person shall be sentenced to the Penitentiary, etc., was read and adopted.

A bill to incorporate the town of Gilmer in Upshur county; read, and passed to a third reading.

A bill to prescribe the time of holding the courts in the 2nd judicial district of the State of Texas; read, and, on motion of Mr. Taylor, referred to the select committee on Judicial Districts.

A bill to re-incorporate the town of Huntsville; read second

time, and, on motion of Mr. Grimes, referred to the committee on the Judiciary.

A bill to amend an act providing for the transfer of records of administrators to new counties, passed May 13, 1846; read second time, and, on motion of Mr. Taylor, referred to the committee on the Judiciary.

A bill to permit Fitz William Bonner to practice law; read second time.

Mr. Dancy moved to refer it to the committee on Counties and County Boundaries; lost.

Mr. Dancy moved to amend the bill by inserting after "Fitz William Bonner," the following words, "and all other young men over the age of eighteen years."

Mr. Dancy moved to adjourn until ten o'clock to-morrow morning; lost.

Mr. Duggan moved to adjourn until 3 o'clock p. m.; lost.

The yeas and nays were then called on the adoption of the amendment offered by Mr. Dancy, and were as follows:

YEAS—Messrs. Dancy, Davis and Sterne—3.

NAYS—Messrs. Bigelow, Burks, Day, Duggan, Gray, Grimes, Hill, Merriman, Parker, Reaves, Scott, Taylor, Truit, Williams and Wilson—15. Lost.

The yeas and nays were then called on passing the bill to a third reading, and were as follows:

YEAS—Messrs. Burks, Day, Duggan, Reaves, Scott, Sterne, Taylor, Truitt and Williams—9.

NAYS—Messrs. Bigelow, Dancy, Davis, Gray, Grimes, Hart, Hill, Merriman, Parker and Wilson—10.

The Senate refused to pass the bill to a third reading.

Mr. Scott moved to adjourn until 3 o'clock p. m.

Mr. Dancy moved to adjourn until 10 o'clock to-morrow morning; lost by the following vote:

YEAS—Messrs. Bigelow, Dancy, Day, Hart, Merriman, Sterne, Truit, Williams and Wilson—9.

NAYS—Messrs. Burks, Davis, Duggan, Eddy, Gray, Grimes, Hill, Parker, Reaves, Scott and Taylor—11.

Mr. Dancy moved to adjourn until 59 minutes past 9 o'clock to-morrow morning.

The President decided that the question recurred upon the motion of Mr. Scott, from which decision Mr. Dancy appealed.

The Senate sustained the decision of the President, and the Senate adjourned until 3 o'clock p. m.

3 O'CLOCK P. M.

Senate met—roll called—quorum present.

Mr. Parker moved to re-consider the vote which refused to pass to a third reading, a bill to permit Fitz William Bonner to practise law.

On motion of Mr. Wilson, the motion was laid on the table.

A bill to incorporate the city of San Antonio; read second time, and on motion of Mr. Eddy, referred to the committee on State Affairs.

A bill for the relief of William H. Parker; read second time, and on motion of Mr. Davis, referred to the committee on Finance.

A bill to authorize the Auditor to settle the accounts of William G. Cooke as late Quartermaster-General; read second time, and on motion of Mr. Davis, referred to the committee on Finance.

A bill granting and securing 640 acres of land to the heirs of George W. Crowls, deceased, to which they are entitled by virtue of the services and death of said George W. Crowls in the army of the Republic of Texas; read second time, and on motion of Mr. Davis, referred to the committee on Private Land Claims.

A bill to charter the Bastrop Academy; read second time, and on motion of Mr. Taylor, referred to the committee on Education.

A bill to incorporate the Attoyac Turnpike Company; read second time, and on motion of Mr. Scott, referred to the committee on Internal Improvements.

A bill for the relief of Luther T. M. Plummer; read second time, and on motion of Mr. Hill, referred to the committee on the Judiciary.

On motion of Mr. Kinney, Mr. Meusebach was granted leave of absence for a few days.

On motion of Mr. Wilson, Mr. Doane was granted leave of absence for two days.

A bill for the relief of Wesley Fisher; read second time, and ordered to be engrossed.

A bill to incorporate the Corpus Christi Navigation Company; read.

Mr. Wilson offered the following amendment:

Add to section 9th as follows: "Provided, however, that nothing in this act contained shall authorize the said company to levy or collect toll upon any crafts or vessels running from Matagorda bay to the Guadalupe river, or from the Guadalupe river to Matagorda bay;" adopted, and bill ordered to be engrossed.

The report of the committee on the Judiciary, reporting a bill concerning writs of error; read and adopted, and bill ordered to be engrossed.

The report of the committee on Claims and Accounts, on the petition of the heirs of Dr. R. F. Brenham, recommending that it be referred to the committee on Public Debt; read and adopted.

On motion of Mr. Hill, the reports of the committee on State Affairs on the petition of James H. Neely, on the petition of Allensworth Adams, and on a bill for the relief of the persons taken prisoners by the Mexican army at the Mission of Refugio in 1841, were taken from the table and referred to the committee on the Public Debt.

A bill for the relief of Jim Shaw, a Delaware Indian; read second time and referred to the committee on the Public Debt.

Mr. Hill presented papers relating to the same, which were referred to the same committee.

A bill for the relief of the heirs of E. J. W. Lowery; read second time, and on motion of Mr. Wilson, referred to the committee on Private Land Claims.

A bill for the relief of Richard Hall, deceased, and a bill for the relief of George W. Parish and Roswell Gorman, were read and ordered to be engrossed.

A bill to incorporate the Little Cypress Bridge Company; read second time and ordered to be engrossed.

A bill to incorporate Galveston College; read first time.

A bill to create the county of Hidalgo; read second time, and on motion of Mr. Bigelow, referred to the committee on Counties and County Boundaries.

Mr. Merriman presented the petition of Greenberry Dorsey; referred to the committee on Private Land Claims.

A bill to amend an act approved November 30th, 1850, to amend the second and seventh sections of an act to organize the Supreme Court of the State of Texas, approved 12th May, 1846; read second time, and on motion of Mr. Parker, referred to a select committee of five. Messrs. Parker, Reaves, Bogart, Scott, and Hart were appointed said committee.

A bill to authorize and require the Commissioner of the General Land Office to issue patents to legal purchasers at probate and sheriff sales; and

A bill to incorporate the town of Charthage in Panola county, were read first time.

Joint resolution instructing our Senators and requesting our Representatives in the Congress of the United States, to use

their best exertions to have an appropriation made by the Congress of the United States, for the payment of losses sustained by the citizens of this State, by depredations of different Indian tribes since our annexation to the United States; read second time and ordered to be engrossed.

On motion of Mr. Gray, the Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, December 24, 1851.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Smith—roll called—quorum present—the journal of yesterday was read and adopted.

Mr. Bogart, chairman of the committee on Counties and County Boundaries, to which was referred a bill better defining the boundaries of Denton county, reported the same back with the following amendments, and recommended their adoption and the passage of the bill:

Amendments: amend by inserting the word "now," after the word "as," in the 15th line of first section; strike out the name of "Warren A. Harris" in same line, and insert in lieu thereof the word "law."

Mr. Reaves, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed, to wit:

A bill for the relief of Brigadier General Edward H. Tarrant;

A bill to amend the 59th section of an act organizing justices courts; and a bill to amend the 14th section of the act regulating estrays, approved February 8, 1850.

Mr. Day, from the committee on Counties and County Boundaries, to which was referred a bill to create the county of Hidalgo, reported the same back and recommended its passage.

Mr. Wilson, chairman of the committee on Education, to which was referred a bill to charter the Bastrop Academy, reported the same back and recommended its passage.

Mr. Merriman made the following report:

The special committee, to whom was referred a bill to be entitled an act providing for the liquidation and payment of the debt of the late Republic of Texas, have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying amendments, which they recommend be made to the bill, and recommend the passage of the bill when amended:

Amend section 1, by striking out at the end of the first and beginning of the second lines, the words "the following sums," and insert in lieu thereof the words "two millions of dollars of bonds."

Amend section 1, sixth line, by adding after the word "of," first